REMARKS/ARGUMENTS

By this Amendment claim 20 has been cancelled and new claim 21 is added. Claims 1, 5-7, 12, 13, 15, 16 and 20 have previously been cancelled. Claims 2, 8, 9, 14 and 17-19 are amended. Claims 2-4, 8-11, 14, 17-19 and 21 are pending.

The Applicants' representative gratefully acknowledges the courtesies extended to the Applicants' representative by the Examiner when the Examiner agreed to receive and comment on the proposed claim transmitted to the Examiner in the Communication of August 24, 2006.

Favorable reconsideration is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner sets forth that claim 20 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. According to the Examiner, the claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner believes that the scope of applicant's disclosure does not include a basis for determining "relevance" as associated with message animation systems. The Examiner further believes that Applicant's disclosure lacks description of "relevant message animation systems" and "a relevant subset" of single message animation systems. Thus, both are considered new matter according to the Examiner.

The Examiner further sets forth that the term "relevant" in claim 20 is a relative

term which renders the claim indefinite. The Examiner believes that the term "relevant" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and the Examiner believes that one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. According to the Examiner, an appropriate correction would be to delete "relevant" from applicant's claim language or substitute as"selected by the message user.

The Applicants submit that the claims have been amended accordingly.

Claim 19 is objected to by the Examiner because of the following informalities according to the Examiner: being dependent on cancelled claim 12. Appropriate correction is required by the Examiner.

Claim 19 has been amended accordingly.

The Examiner sets forth that claims 2-4, 8, 14, 17-20 are rejected under 35 U.S.C. 102(e) as being anticipated by McIllwaine et al., USPN 6,324,282 B1 (hereafter referred to by the Examiner as McIllwaine).

Regarding claim 20, the Examiner sets forth that McIllwaine taught a method for performing a business training communication performed in a communication system including a computer having computer memory, a computer communication channel and a display device (abstract),

(a) comprising; determining a targeted business area (the Examiner directs the Applicants' attention to column 6, lines 13-15);

(b) sampling potential recipients of said business training communication

according to the Examiner (the Examiner directs the Applicants' attention to column 4, lines 65-67);

(c) performing a needs analysis of an event of said targeted business area upon said computer in accordance with said sampling of said potential recipients to provide an analyzed event according to the Examiner (the Examiner directs the Applicants' attention to column 5, lines 16-31);

(d) storing said needs analysis in said computer memory according to the Examiner (the Examiner directs the Applicants' attention to column 5, lines 36-40);

(e) determining a plurality of business training messages by said computer operating upon said computer memory in accordance with said needs analysis according to the Examiner (the Examiner directs the Applicants' attention to column 5, lines 31-35);

(f) providing a respective animation system focused on each business training message of said plurality of business training messages to provide a first plurality of single message animation systems according to the Examiner (the Examiner directs the Applicants' attention to column 6, lines 21-27);

(g) selecting a second plurality of relevant message animation systems from said first plurality of single message animation systems in accordance with the individual needs of a selected message recipient to provide a relevant

subset' of single message animation systems according to the Examiner (the Examiner directs the Applicants' attention to column 7, lines 36-44);

(h) communicating said relevant subset of single message animation systems to said display device by way of said communication channel according to the Examiner (the Examiner directs the Applicants' attention to column 7, lines 36-44); and

(i) displaying said relevant subset of single message animation systems to said selected message recipient on said display device according to the Examiner.

Regarding dependent claim 2, the Examiner sets forth that McIllwaine taught step (h) comprises the further step of transmitting an email directly to said selected message recipient (the Examiner directs the Applicants' attention to column 9, lines 62-66) animation files wherein step (h) comprises the further step of transmitting animation files to the location of said selected message recipient (the Examiner directs the Applicants' attention to column 10, lines 5-13).

Regarding dependent claim 4, the Examiner sets forth that McIllwaine taught the method of performing business training communications further comprising loading and displaying said animation programming disposed at said located of said selected message recipient (the Examiner directs the Applicants' attention to column 6, lines 50-57).

Regarding dependent claim 8, the Examiner sets forth that McIllwaine taught step (e) further comprises providing said plurality of animation systems to said message user by way of the Internet (the Examiner directs the Applicants' attention to column 9, lines 62-66).

Regarding dependent claim 14, the Examiner sets forth that McIllwaine taught said analyzed event comprises an event specific to said selected message recipient (the Examiner directs the Applicants' attention to column 5, lines 36-40).

Regarding dependent claim 17, the Examiner sets forth that McIllwaine taught said analyzed event of step (g) comprises an event specific to a plurality of employees (the Examiner directs the Applicants' attention to column 6, lines 3-9).

Regarding dependent claim 18, the Examiner sets forth that McIllwaine taught the method for performing business training communications further comprising applying said selected animation system to said selected animation system to said selected message recipient by way of the Internet (the Examiner directs the Applicants' attention to column 9, lines 62-66).

Regarding dependent claim 19, the Examiner sets forth that McIllwaine taught the method for performing business training communications further comprising further comprising selecting said further plurality of animation systems by said message user from a catalog of system animations provided to said message user along with the providing of providing of step (e) (the Examiner directs the Applicants' attention to column 6, line 62 - column 7, line 5).

The Examiner further sets forth that claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIllwaine in view of Ozkan et al., USPN 6,748,421 B1 (hereafter referred to as Ozkan).

Regarding dependent claim 9, the Examiner sets forth that McIllwaine does not specifically teach providing said plurality of animation system to said message user by way of a tangible recording medium. However, the Examiner believes that Ozkan taught step (e) further comprises providing said plurality of animation systems to said message user by way of a tangible recording medium (the Examiner directs the Applicants' attention to column 10, lines 48-52). The Examiner further believes that it would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Ozkan's delivering a tangible recording medium in McIllwaine's system for delivering training materials would have been an equivalent method of delivery. The motivation would be to provide the animation systems to a message user when the message user is not connected to a network according to the Examiner.

Regarding dependent claim 10, the Examiner sets forth that Ozkan taught said tangible recording medium comprises a CD-ROM (the Examiner directs the Applicants' attention to column 10, lines 48-52).

Regarding dependent claim 11, the Examiner sets forth that McIllwaine taught a method further comprising selecting from said plurality of animation systems by said message user a further plurality of animation systems for applying the animation systems of said further plurality of animation systems to at least one message recipient

(the Examiner directs the Applicants' attention to column 6, lines 40-57).

The Applicants' invention is a method for performing a business training communication performed in a communication system including a computer having computer memory, a computer communication channel and a display device includes determining a targeted business area, sampling potential recipients of the business training communication and performing a needs analysis of an event of the targeted business area upon the computer in accordance with the sampling of the potential recipients to provide an analyzed even. The needs analysis is stored in the computer memory and a plurality of business training messages are determined by the computer operating upon the computer memory in accordance with the needs analysis.

The steps of providing a respective animation module focused on each business training message of the plurality of business training messages to provide a first plurality of single message animation modules wherein each animation module includes a single business training message and selecting a second plurality of single message animation modules from the first plurality of single message animation modules in accordance with the individual needs of a selected message recipient to provide a first subset of single message animation modules and a remaining subset of single message animation modules are recited. The first subset of single message animation modules is communicated to the display device by way of the communication channel the first subset of single message animation modules is displayed to the selected message recipient on the display device.

The steps of removing at least one single message animation module from the first subset of single message animation modules and adding to the first subset of single message animation modules at least one single message animation module from the remaining subset of single message animation modules to provide a second subset of single message animation modules and displaying the second subset of single message animation modules to the selected message recipient on the display device are recited.

The references cited by the Examiner do not teach or suggest providing a first plurality of single message animation modules and selecting a second plurality of single message animation modules therefrom to provide a first subset of such modules and displaying the first subset to the message recipient. Furthermore, none of the cited references teach removing a single message animation module from the first set and adding a further such module thereto to provide a second subset and displaying the second subset to the message recipient as set forth in the Applicants' new independent claim 21.

Additionally, as previously set forth by the Applicants, the Hirota-Bro references cited by the Examiner teach processing devices performing functions such as gathering work flow data and generating a message based on the data or a triggering event, such as a mistake, by a trainee. Thus, the messages are provided according to specific processes and/or specific events. Furthermore, there is no distinction in the references as to which particular individual is to receive the message. Rather, the same

predetermined message is transmitted to any person in the identified work flow or performing the triggering event.

This must be distinguished from selection of messages which are based on a needs analysis of a targeted business area as required by the Applicants' new claim 20, wherein a plurality of messages is created according to the needs analysis of the targeted business area. A selection of targeted business messages is then made from the foregoing plurality of messages according to the individual needs of a selected message recipient in the Applicants' invention, rather than according to a specific process or event.

Furthermore, the cited systems could not be adapted to work for the Applicants' intended purpose. The intended purpose of the Applicants' system is to send messages according to individual needs. The references cited by the Examiner cannot address such individual needs since they are limited to selecting messages relating to skills that can be monitored automatically by a computer, e.g. production rate, mistakes, errors, bad data entry, etc.

Additionally, neither Hirota nor Bro teaches the following features required by the Applicants' new claim 21:

1. Performing a needs analysis of an event in accordance with a sampling of potential recipients to provide an analyzed event. No sampling of potential recipients as set forth in claim 21 and described in the specification is taught in Hirota or Bro. It follows that no needs analysis can be performed

in accordance with such sampling in the Hirota or Bro systems.

2. Providing a respective animation system focused on a business training message of a plurality of business training messages that are determined in accordance with the needs analysis. Since performing a needs analysis in accordance with a sampling of potential recipients is not taught, it follows that there is no teaching of business messages that are determined in accordance with such a needs analysis.

3. Selecting a second plurality of relevant message animation systems from the first plurality in accordance with the individual needs of a selected message recipient to provide a relevant subset of animation systems. There is no teaching of determining the "individual needs of a selected message recipient" in either Hirota or Bro. It must be emphasized the no such determining of individual needs whatsoever is taught.

   Rather, Hirota-Bro teach selecting messages for transmission to a plurality of recipients without any individualizing whatsoever. If no such determining of individual needs is taught, it follows that there can be no selecting of messages according to such a determination taught in the cited references.

For at least the reasons set forth above, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
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September 8, 2006 By

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Please charge or credit our Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.